

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

OCD Artesia

FORM APPROVED
OMB NO. 1004-0137
Expires: January 31, 2018**SUNDRY NOTICES AND REPORTS ON WELLS**
Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.5. Lease Serial No.
NMLC068545

6. If Indian, Allottee or Tribe Name

7. If Unit or CA/Agreement, Name and/or No.

SUBMIT IN TRIPLICATE - Other instructions on page 28. Well Name and No.
POKER LAKE UNIT 265H9. API Well No.
30-015-3561410. Field and Pool or Exploratory Area
NASH DRAW (DEL/BS/AVSD)11. County or Parish, State
EDDY COUNTY, NM1. Type of Well
☒ Oil Well ☐ Gas Well ☐ Other2. Name of Operator
BOPCO, L.P. Contact: STEPHANIE RABADUE
E-Mail: stephanie_rabadue@xtoenergy.com3a. Address
6401 HOLIDAY HILL RD.
MIDLAND, TX 797023b. Phone No. (include area code)
Ph: 432-620-67144. Location of Well (Footage, Sec., T., R., M., or Survey Description)
Sec 6 T24S R30E Mer NMP 660FSL 660FWL

12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	Right of Way
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

XTO Energy, Inc / BOPCO, L.P respectfully requests a 150' truck line corridor with a 30' temporary easement be granted through Poker Lake Unit Sections 6 and 7-T24S-R30E, beginning at the Poker Lake Delaware C Battery and ending in Section 36-T23S-R30E at the planned Raider Compressor Station located on New Mexico State Land. See attached plats for full route description. The purpose of the trunk line is to extend the midstream takeaway system throughout contiguous acreage for the purpose of selling oil and gas, disposal of produced water, reuse of produced water, and interconnect critical pieces of operations safely and responsibly with consideration to the environment, long-term development, and mineral production.

NM OIL CONSERVATION
ARTESIA DISTRICT

FEB 05 2018

SC 2-6-18
Accepted for record - NMOCD

RECEIVED

14. I hereby certify that the foregoing is true and correct.

Electronic Submission #392468 verified by the BLM Well Information System
For BOPCO, L.P., sent to the Carlsbad

Name (Printed/Typed) STEPHANIE RABADUE

Title REGULATORY ANALYST

Signature (Electronic Submission)

Date 10/19/2017

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By

Title

Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

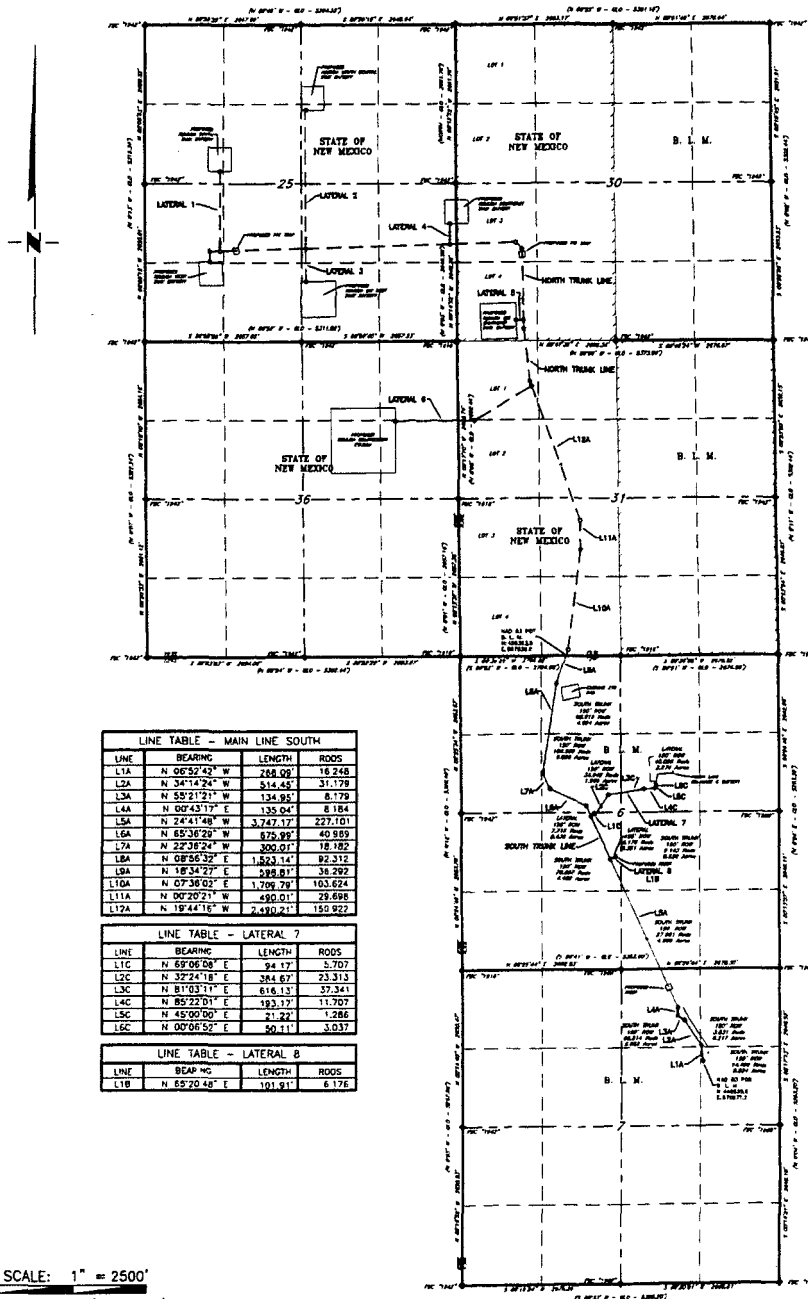
Office

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED **

XTO ENERGY, INC.
PROPOSED 150' R.O.W. FOR THE REMUDA SOUTH TRUNK LINE
SECTIONS 6 & 7, TOWNSHIP 24 SOUTH, RANGE 30 EAST,
N. M. P. M., EDDY COUNTY, NEW MEXICO



LINE TABLE - MAIN LINE SOUTH			
LINE	BEARING	LENGTH	RODS
L1A	N 02°52'42" W	268.92	18.248
L2A	N 34°14'24" W	514.62	31.179
L3A	N 55°21'51" W	134.95	8.179
L4A	N 02°43'17" E	135.04	8.184
L5A	N 24°41'48" W	3,247.17	227.101
L6A	N 65°36'32" W	875.92	40.959
L7A	N 22°38'24" W	300.01	18.182
L8A	N 08°56'32" E	1,523.14	92.312
L9A	N 18°34'27" E	528.81	38.292
L10A	N 07°38'02" E	1,709.29	103.674
L11A	N 06°20'21" W	490.01	29.698
L12A	N 19°44'16" W	2,430.21	150.922

LINE TABLE - LATERAL 7			
LINE	BEARING	LENGTH	RODS
L7C	N 59°06'06" E	94.17	5.707
L7D	N 32°24'18" E	384.87	23.313
L7E	N 81°03'11" E	616.13	37.341
L7F	N 85°22'01" E	193.17	11.707
L7G	N 45°00'00" E	21.22	1.286
L7H	N 00°06'32" E	50.11	3.037

LINE TABLE - LATERAL 8			
LINE	BEARING	LENGTH	RODS
L8B	N 65°20'48" E	101.91	6.176

SCALE: 1" = 2500'
0 1250' 2500'

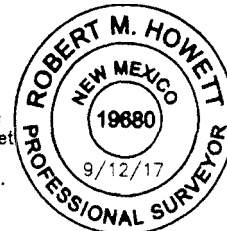
BEARINGS ARE GRID NAD 27
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

- () RECORD DATA - GLO
- ◆ FOUND MONUMENT AS NOTED
- PROPOSED SOUTH TRUNK LINE

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett NM PS 19680



Copyright 2016 - All Rights Reserved

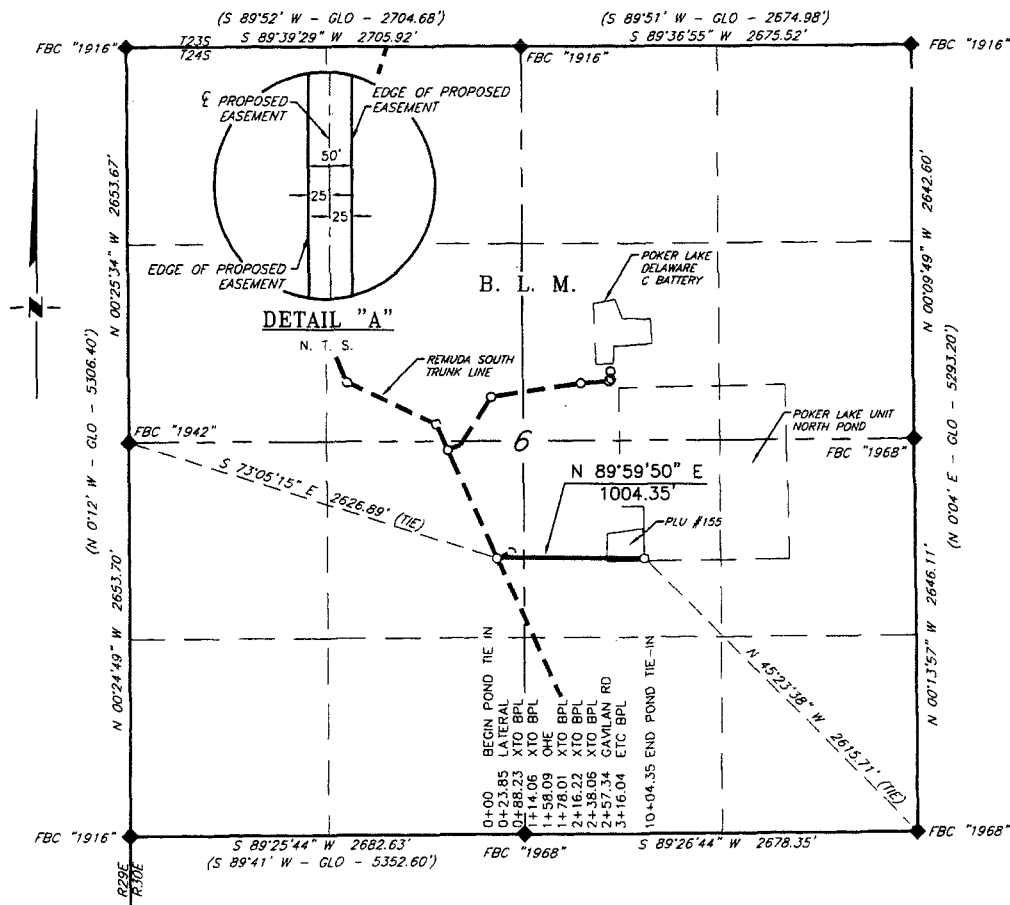
1	REROUTES	9/1/17
NO.	REVISION	DATE
JOB NO.: LS1705295		
DWG. NO.: 1705295-1		

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 2500'
DATE: 5/31/2017
SURVEYED BY: JM/EF
DRAWN BY: LA
APPROVED BY: RMH
SHEET: 15 OF 24

XTO ENERGY, INC.
PROPOSED TIE-IN FROM THE REMUDA SOUTH TRUNK LINE TO THE
POKER LAKE UNIT NORTH POND
SECTION 6, T24S, R30E,
N. M. P. M., EDDY CO., NEW MEXICO



DESCRIPTION

A strip of land 50 feet wide, being 1,004.35 feet or 60.870 rods in length, lying in Section 6, Township 24 South, Range 30 East, N. M. P. M., Eddy County, New Mexico, being 25 feet left and 25 feet right of the following described survey of a centerline across B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Southwest quarter of Section 6, which bears S 73°05'15" E, 2,626.89 feet from a brass cap, stamped "1942", found for the West quarter corner of Section 6;

Thence N 89°59'50" E, 1,004.35 feet, to Engr. Sta. 10+04.35, the End of Survey, a point in the Southeast quarter of Section 6, which bears N 45°23'38" W, 2,615.71 feet from a brass cap, stamped "1968", found for the Southeast corner of Section 6.

Said strip of land contains 1.153 acres, more or less, and is allocated by forties as follows:

NE 1/4 SW 1/4	11.086 Rods	0.210 Acres
NW 1/4 SE 1/4	49.784 Rods	0.943 Acres

SCALE: 1" = 1000'
0 500' 1000'

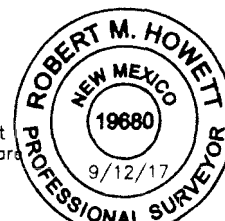
BEARINGS ARE GRID NAD 27
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND
() RECORD DATA - GLO
◆ FOUND MONUMENT AS NOTED
— PROPOSED POND TIE-IN

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett

NM PS 19680



Copyright 2016 - All Rights Reserved

NO.	REVISION	DATE
JOB NO.:	LS1708579	
DWG. NO.:	1708579-1	

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 1000'
DATE: 9/06/17
SURVEYED BY: JM/JC
DRAWN BY: LPS
APPROVED BY: RMH
SHEET: 1 OF 1

Remuda to Poker Lake South Trunk Line – XTO/BOPCO

Sections 25 & 36 - 23S-29E (New Mexico State Land-XTO Lease)

Sections 30 & 31-24S-30E (New Mexico State Land-XTO Lease)

Sections 6 & 7-24S-30E (Bureau of Land Management)

Eddy County, New Mexico

Total Trunk Line Width:	150'
Total Federal Trunk Line Length:	9359.03'
Temporary Federal Surface Disturbance:	32.228 Acres
Permanent Federal Surface Disturbance:	6.445 Acres (Electrical Only)

Plat Designation Name: Main Line South

Line Length: 7897.65'

<u>Number</u>	<u>Purpose</u>	<u>Diameter</u>	<u>MAOP/Hydro</u>	<u>Material</u>	<u>Location</u>
1	Oil	22" or Less	1440psi/1800psi	Steel	Buried
2	Oil	22" Or Less	1440psi/1800psi	Steel	Buried
3	HP Gas 1	22" or Less	1440psi/1800psi	Steel	Buried
4	HP Gas 2	22" or Less	1440psi/1800psi	Steel	Buried
5	LP Gas 1	22" or Less	285psi/357psi	Steel	Buried
6	Gas Lift	22" or Less	1440psi/1800psi	Steel	Buried
7	Fuel Gas	22" or Less	1440psi/1800psi	Poly	Buried
8	Condensate	22" or Less	1440psi/1800psi	Steel	Buried
9	Fresh Water	22" or Less	125psi/160psi	Poly	Buried
10	Produced Water	22" or Less	125psi/160psi	Poly	Buried
11	Recycle Water	22" or Less	125psi/160psi	Poly	Buried
12	Frac Water	22" or Less	125psi/160psi	Poly	Buried
13	Electrical	12,740 Volts	N/A	N/A	OHE
14	Fiber Optic Cable		N/A	N/A	Buried

Plat Designation Name: Lateral 7

Line Length: 1359.47'

<u>Number</u>	<u>Purpose</u>	<u>Diameter</u>	<u>MAOP/Hydro</u>	<u>Material</u>	<u>Location</u>
1	Produced Water	22" or Less	125psi/160psi	Poly	Buried
2	OHE	12,740 Volts	N/A	N/A	OHE
3	Fiber Optic Cable		N/A	N/A	Buried

Plat Designation Name: Lateral 8

Line Length: 101.91'

<u>Number</u>	<u>Purpose</u>	<u>Diameter</u>	<u>MAOP/Hydro</u>	<u>Material</u>	<u>Location</u>
1	Frac Water	22" or Less	125psi/160psi	Poly	Buried
2	Produced Water	22" or Less	125psi/160psi	Poly	Buried
3	Recycle Water	22" or Less	125psi/160psi	Poly	Buried
4	Extra Water	22" or Less	125psi/160psi	Poly	Buried
5	Electrical	12,740 volts	N/A	N/A	OHE
6	Fiber Optic Cable		N/A	N/A	Buried

Pipeline Request
Remuda to Poker Lake Unit South Trunk Line

XTO Energy, Inc. / BOPCO, L.P.

Sections 25 & 36-23S-29E (New Mexico State Land-XTO Lease)

Sections 30 & 31-23S-30E (New Mexico State Land-XTO Lease)

Sections 6 & 7-24S-30E (Bureau of Land Management)

Eddy County, New Mexico

1. PURPOSE AND NEED:

- a. XTO Energy, Inc / BOPCO, L.P respectfully requests a 150' truck line corridor with a 30' temporary easement be granted through Poker Lake Unit Sections 6 and 7-T24S-R30E, beginning at the Poker Lake Delaware C Battery and ending in Section 36-T23S-R30E at the planned Raider Compressor Station located on New Mexico State Land. See attached plats for full route description.
- b. The purpose of the trunk line is to extend the midstream takeaway system throughout contiguous acreage for the purpose of selling oil and gas, disposal of produced water, reuse of produced water, and interconnect critical pieces of operations safely and responsibly with consideration to the environment, long-term development, and mineral production.
- c. XTO Energy, Inc./BOPCO, L.P. anticipates a project start date of: November 10, 2017 with construction taking 8 months. Upon completion of construction, XTO Energy/BOPCO, L.P. requests 6mos to complete interim reclamation of the site and install necessary traffic deterrents whereupon a subsequent sundry will be filed with the Authorized Officer. If additional time is deemed necessary to complete construction or reclamation, a sundry will be filed with the Authorized Officer pursuant to anticipated activities
- d. This trunk line corridor is to interconnect XTO Energy, Inc. and BOPCO, L.P. projects. XTO Energy, Inc. is the legal authority over BOPCO, L.P. until such time as the incorporation is dissolved, anticipated March 1, 2018. XTO Energy, Inc. as legal authority at this time over BOPCO, L.P., is considered as dual-lessee over BOPCO, L.P.'s acreage until such anticipated date as March 1, 2018 whereupon XTO Energy, Inc. will be changed to the official designated operator over all existing BOPCO, L.P. leaseholds.
- e. The trunk line as proposed is anticipated to hold 12 pipelines, all 22" or less in diameter, to carry oil, gas, water, fiber optics, produced water, high pressure gas, low pressure gas, and aide to a buried water system for drilling and completion activities throughout Remuda Basin (State Land) and Poker Lake Unit. A final report of pipeline diameters will be submitted on a subsequent sundry to the BLM upon the completion of the trunk line.
- f. Pipeline specifics can be found on Exhibit A.
- g. All lines will be buried a minimum of 36" beneath the surface.
- h. All requested disturbance is anticipated to follow existing disturbance areas.
- i. The trunk line will be identified by signs at the point of origin and completion of the line in addition to all road crossings. Signs will state, at minimum: the holder's name and product being transported. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the trunk line.
- j. The trunk line route will not be used as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with XTO Energy/BOPCO, L.P. before maintenance begins. XTO Energy/BOPCO, L.P. will take all necessary precautions to ensure that the pipeline route is not used as a roadway.

Temporary deterrence structures will be used as needed and approved by the Authorized Officer.

- k. All permanent aboveground structures (on site six months or longer), such as risers, constructed or installed on location and not subject to safety requirements will be painted an earth-tone color such as 'Shale Green' as determined by the Authorized Officer that reduces the visual impacts on the built environment.
- l. Escape ramps will be constructed and maintained that are not fenced, screened, or netted to prevent livestock, wildlife, and humans from becoming entrapped. XTO Energy/BOPCO, L.P. will construct and maintain escape ramps, ladders, or other methods of avian/terrestrial wildlife escape in the trenches according to the following criteria:
 - i. Any trench left open for 8 hours or less will not have escape ramps. However, prior to backfilling, XTO/BOPCO, L.P. shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
 - ii. Any trench left open for more than 8 hours will have earthen escape ramps built at no more than a 30 degree slope and spaced no more than 500' apart inside of the trench.

2. PIPELINE LOCATION:

- a. See Attached Plats

3. FACILITY DESIGN FACTORS:

- a. See Attached Table (Exhibit A)

4. ADDITIONAL GOVERNMENT AGENCIES INVOLVED:

- a. New Mexico State Land Office.
- b. Appropriate Right-of-Ways, where needed, have been filed with the New Mexico State Land Office.

5. METHODS OF HANDLING WASTE DISPOSAL:

- a. Portable, self-contained chemical toilets will be provided for human waste disposal. Upon completion of operations, or as required, the toilet holding tanks will be pumped and the contents thereof disposed of in an approved sewage disposal facility. All state and local laws and regulations pertaining to disposal of human and solid waste will be complied with. This equipment will be properly maintained during the drilling and completion operations and will be removed when all operations are complete.
- b. All trash, junk, and other waste materials will be contained in trash cages or bins to prevent scattering and will be removed and deposited in an approved sanitary landfill. Immediately after trunk line completion all debris and other waste materials on and around the well location not contained in the trash cage will be cleaned up and removed from the location. No potentially adverse materials or substances will be left on the location.
- c. Hazardous Materials.
 - i. XTO Energy, Incorporated/BOPCO, L.P., and its contractors will comply with all applicable Federal, State and local laws and regulations, existing or hereafter enacted promulgated, with regard to any hazardous material, as defined in this paragraph, that will be used, produced, transported or stored on the oil and gas lease. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the CERCLA of 1980, as amended, 42 U.S.C 9601 et

seq., and its regulation. The definition of hazardous substances under CERCLA includes any 'hazardous waste' as defined in the RCRA of 1976, as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous material also includes any nuclear or nuclear by-product material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101 (14) U.S.C. 9601 (14) nor does the term include natural gas.

- ii. No hazardous substances or wastes will be stored on the location after completion of the trunk line.
- iii. Chemicals brought to location will be on the Toxic Substance Control Act (TSCA) approved inventory list.
- iv. All undesirable events (fires, accidents, blowouts, spills, discharges) as specified in Notice to Lessees (NTL) 3A will be reported to the BLM Carlsbad Field Office. Major events will be reported verbally within 24 hours, followed by a written report within 15 days. "Other than Major Events" will be reported in writing within 15 days.

6. ANCILLARY FACILITIES:

No campsite, airstrip or other facilities will be built as a result of this operation. No staging areas are needed.

7. PLANS FOR SURFACE RECLAMATION:

Interim Reclamation:

Definition: Reclamation includes disturbed areas where the original landform and a natural vegetative community will be restored and it is anticipated the site will not be disturbed for future development.

Reclamation Standards:

After construction has taken place, all areas of the applied for corridor will be reclaimed and seeded as per BLM requirements for reclamation.

Vegetation, soil, and rocks left as a result of construction of maintenance activity will be randomly scattered on the applied for pipeline corridor and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire pipeline corridor shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6-inch berm will be left over the ditch line to allow for settling back to grade.

Erosion features are equal to or less than surrounding area and erosion control is sufficient so that water naturally infiltrates into the soil and gullying, headcutting, slumping, and deep or excessive rills (greater than 3 inches) are not observed.

In those areas where erosion control structure are required to stabilize soil conditions, XTO Energy, Incorporated / BOPCO, L.P. will install such structures as are suitable for specific soil conditions being encountered and which are in accordance with sound resource management practices.

The location will then be ripped and seeded. A self-sustaining, vigorous, diverse, native (or otherwise approved) plant community will be established on the site with a density sufficient to control erosion and invasion by non-native plants and to re-establish wildlife habitat or forage production. At a minimum, the established plant community will consist of species included in the seed mix and/or desirable species occurring in the surrounding natural vegetation.

The site will be free of State-or County-listed noxious weeds, oil field debris and equipment, and contaminated soil. Invasive and non-native weeds will be controlled.

Seeding:

- Seedbed Preparation: Initial seedbed preparation will consist of recontouring to the appropriate interim or final reclamation standard. All compacted areas to be seeded will be ripped to a minimum depth of 18 inches with a minimum furrow spacing of 2 feet, followed by recontouring the surface and then evenly spreading the stockpiled topsoil. Prior to seeding, the seedbed will be scarified to a depth of no less than 4-6 inches. If the site is to be broadcast seeded, the surface will be left rough enough to trap seed and snow, control erosion, and increase water infiltration.
- If broadcast seeding is to be used and is delayed, final seedbed preparation will consist of contour cultivating to a depth of 4-6 inches within 24 hours prior to seeding, dozer tracking, or other imprinting in order to break the soil crust and create seed germination micro-sites.
- Seed Application. Seeding will be conducted no more than two weeks following completion of final seedbed preparation. A certified weed-free seed mix designed by the BLM to meet reclamation standards will be used.
- If the site is harrowed or dragged, seed will be covered by no more than 0.25 inch of soil.

8. OTHER INFORMATION:

- a. There is no permanent or live water in the immediate area.
- b. There are no dwellings within 2 miles of this location.
- c. A Class III Cultural Resources Examination has been completed by Boone Archaeological Services and the results will be forwarded to the BLM office.
- d. A 3rd Party EA was completed and submitted to the BLM office.
- e. A wildlife survey was completed and submitted to the BLM office.

9. BOND COVERAGE:

- a. Bond Coverage is Nationwide; Bond Number UTB000138.

BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of holder, regardless of fault. Upon failure of holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

5. All construction and maintenance activity will be confined to the authorized right-of-way.
6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.
7. The maximum allowable disturbance for construction in this right-of-way will be 30 feet:
- Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed 20 feet. The trench is included in this area. (*Blading is defined as the complete removal of brush and ground vegetation.*)
 - Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed 30 feet. The trench and bladed area are included in this area. (*Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.*)
 - The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (*Compressing can be caused by vehicle tires, placement of equipment, etc.*)
8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately 6 inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.
9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.
10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.
11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.
12. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

- | | |
|--|--|
| <input type="checkbox"/> seed mixture 1 | <input type="checkbox"/> seed mixture 3 |
| <input checked="" type="checkbox"/> seed mixture 2 | <input type="checkbox"/> seed mixture 4 |
| <input type="checkbox"/> seed mixture 2/LPC | <input type="checkbox"/> Aplomado Falcon Mixture |

13. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

14. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the pipeline.

15. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder before maintenance begins. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway. As determined necessary during the life of the pipeline, the Authorized Officer may ask the holder to construct temporary deterrence structures.

16. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

17. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes associated roads, pipeline corridor and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

18. Escape Ramps - The operator will construct and maintain pipeline/utility trenches [that are not otherwise fenced, screened, or netted] to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in the trenches according to the following criteria:

- a. Any trench left open for eight (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, the contractor/operator shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

19. Special Stipulations:

Hydrology:

Buried Pipeline(s): No soil crowning along slopes or drainages that supply runoff to playas to maintain natural surface overland flow. Any water erosion that may occur due to construction or

during the life of the pipelines will be quickly corrected and proper measures will be taken to prevent future erosion. A leak detection plan will be submitted to the BLM Carlsbad Field Office for approval prior to pipeline installation. The method could incorporate gauges to detect pressure drops, siting valves and lines so they can be visually inspected periodically or installing electronic sensors to alarm when a leak is present. The leak detection plan will incorporate an automatic shut off system that will be installed for proposed pipelines to minimize the effects of an undesirable event.

Playas:

Playas will be avoided by 300 feet to maintain the integrity of the recharge zone area and the resource entity for water infiltration and wildlife habitat.

“EXHIBIT A-1”
R/W BLM SERIAL #: NM-xxxxxx
Project name:

Seed Mixture 2, for Sandy Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law (s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture will be evenly and uniformly planted over the disturbed area (smaller/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed* per acre:

<u>Species</u>	<u>lb/acre</u>
Sand dropseed (<i>Sporobolus cryptandrus</i>)	1.0
Sand love grass (<i>Eragrostis trichodes</i>)	1.0
Plains bristlegrass (<i>Setaria macrostachya</i>)	2.0

*Pounds of pure live seed:

Pounds of seed x percent purity x percent germination = pounds pure live seed